

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION**

**ILLINOIS STATE PAINTERS WELFARE FUND)
and DISTRICT COUNCIL #58 FRINGE)
BENEFIT FUNDS)**

Plaintiffs,

vs.

No. 07-CV-531

**ALBERT MONTGOMERY, individually and)
ALBERT MONTGOMERY d/b/a)
MONTGOMERY CONTRACTING)**

Defendant.

ORDER

This cause coming to be heard on Plaintiffs' Motion for Default Judgment, and the Court having reviewed said Motion and other pleadings, and the Complaint having been duly filed and served upon Defendant, ALBERT MONTGOMERY, INDIVIDUALLY AND ALBERT MONTGOMERY D/B/A MONTGOMERY CONTRACTING, and that the Defendant has failed to answer or otherwise plead within the statutory time frame, the Plaintiffs are hereby awarded Default Judgment against Defendant, ALBERT MONTGOMERY, INDIVIDUALLY AND ALBERT MONTGOMERY D/B/A MONTGOMERY CONTRACTING, as follows:

A. That Judgment be awarded in favor of the Plaintiffs and against the Defendant for for fringe benefit contributions due in the amount of \$2,440.06 plus late fees of \$781.04 for the period of April 2006 through July 2006, for a total amount due of \$3,221.10; and further, any unpaid contributions and liquidated damages unpaid at the time judgment is rendered.

B Defendant is ordered to perform and continue to perform all its obligations to the

Plaintiffs, particularly to furnish to the Plaintiffs all required contribution reports and payments.

C. Defendant is ordered to pay to the Plaintiffs, their attorney's fees in the amount of \$1,889.89, as provided by ERISA, 29 U.S.C. Section 1132(g)(2).

D. Defendant is ordered to pay all cost attendant to the cost of these proceedings.

ENTERED this 13th day of September, 2007.

s/WILLIAM D. STIEHL
United States District Judge